

REMARKS

Claims 1, 3, 4, 6-9, 11-13 and 15-20 remain pending in the present application.

Claims 10 and 14 have been cancelled. Claims 1, 3, 4, 6, 7 and 12 have been amended. Claims 16-20 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

IDS

Applicant believes that all disclosure requirements have been met.

CLAIM OBJECTIONS

Claim 7 is objected to because of informalities. Claim 7 has been amended to overcome the objection. Withdrawal of the objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 112

Claims 1, 3, 4 and 6 through 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 101

Claims 1, 3, 4, and 6 through 15 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The claims have been amended to overcome the rejection. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

As best can be understood in view of the indefiniteness of the claims, Claims 1, 3, 4, and 6 through 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Latcau (filed July 30, 1999) in view of Daimler-Benz AG (DE 36 30 646C1, of record) or, alternately, in view of Nissan Shatai Co. Ltd. (JP Publication No. 01109182A, of record). Claims 1 and 4 have been amended to define that the fan unit includes a shroud and an axial flow fan dispose in a portion of the shroud facing the rear end of the vehicle. In addition, the shroud is defined as being integral with the front end panel.

None of Latcau, U.S. Pat. No. 6,450,276, Daimler-Benz AG, DE 3630646, or Nissan Shatai Co. Ltd., JP 1-109182, discloses that the shroud is integrated with the front end panel.

Thus, Applicant believes Claims 1 and 4, as amended, patentably distinguish over the art of record. Likewise, Claims 3, 6-9, 11-13 and 15 which ultimately depend from Claims 1 or 4 are also believed to patentably distinguish over the art of record. Claims 10 and 14 have been cancelled. Reconsideration of the rejection is respectfully requested.

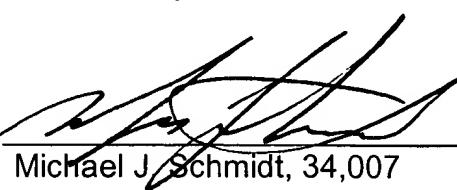
NEW CLAIMS

New Claim 16 is an independent claim which defines the duct structure as having a rib disposed in a gap between the front end panel and at least one of the radiator and the heat exchanger. None of the references cited disclose a front end panel with a rib to seal the gap between the panel and the heat exchangers. Claims 17-20 are dependent claims that depend from Claim 16.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By: 
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